

<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> <b>DOC #:</b> _____ <b>DATE FILED:</b> <u>1/5/16</u>
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

*IN RE* METHYL TERTIARY BUTYL ETHER (MTBE)  
PRODUCTS LIABILITY LITIGATION

This document relates to:

Commonwealth of Puerto Rico  
v. Shell Oil Company, et al.,  
 USDC-SDNY 14-01014 (SAS);  
 USDC-PR 13-01678 (ADC)

Master File No: 1:00-cv-1898  
MDL 1358 (SAS)

**[PROPOSED] ORDER**

On August 13, 2007, Trammo Caribbean, Inc. ("Caribbean") filed a certificate of dissolution with the Secretary of State of Delaware. On December 26, 2013, Plaintiff, the Commonwealth of Puerto Rico (the "Commonwealth"), joined Caribbean as a defendant in this action by service upon Caribbean of the First Amended Complaint in the case styled Commonwealth of Puerto Rico v. Shell Oil Company, et al., USDC-PR 13-01678 (CCC), filed in the U.S. District Court for the District of Puerto Rico, and transferred to MDL 1358 in the Southern District of New York, USDC-SDNY 14-01014 (SAS).

Caribbean moved to dismiss this action as to it pursuant to Fed. R. Civ. P. 12(b)(2) on July 20, 2015.

The Commonwealth, on December 12, 2015 moved this Court for the dismissal of Caribbean without prejudice pursuant to Fed. R. Civ. P. 41(a)(2). Caribbean submitted responsive letter briefs on December 12, 2015 and December 14, 2015 requesting that Caribbean be dismissed from this action with prejudice.

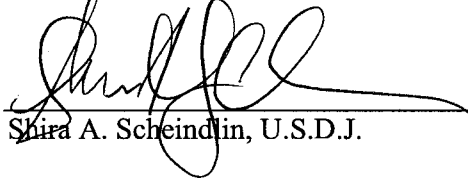
Oral argument was heard on December 14, 2015 regarding the Commonwealth's motion to dismiss Caribbean without prejudice pursuant to Fed. R. Civ. P. 41(a)(2).

Having considered the Commonwealth's December 12, 2015 letter motion requesting the dismissal of Trammo Caribbean, Inc. without prejudice under Federal Rule of Civil Procedure 41(a)(2), Caribbean's December 12, 2015 and December 14, 2015 responsive letter briefs requesting that Caribbean be dismissed from this action with prejudice and oral argument on December 14, 2015, it is hereby:

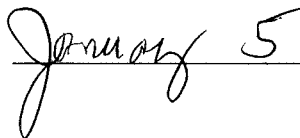
**ORDERED** that dismissal is granted with prejudice as to Trammo Caribbean, Inc. only, pursuant to Federal Rule of Civil Procedure 41(a)(2); and it is further

**ORDERED** that this Order shall not be construed as an adjudication on the merits or a judgment on the merits as to Trammo Caribbean, Inc.'s shareholders, Trammo Caribbean, Inc.'s officers, Trammo Caribbean, Inc.'s directors or other entities in privity with Trammo Caribbean, Inc.

SO ORDERED:

  
Shira A. Scheindlin, U.S.D.J.

Dated: New York, New York

, 2016